

SUMMARY ANALYSIS OF AMENDED BILL

Author: Spitzer Analyst: Deborah Barrett Bill Number: AB 2928
 Related Bills: See Prior Analysis Telephone: 845-4301 Amended Date: August 4, 2008
 Attorney: Patrick Kusiak Sponsor: _____

SUBJECT: California Department Of Corrections (CDCR) To Contract With FTB For Collection Of Restitution Orders Owed By Prisoners Or Persons Who Have Been Under CDCR Jurisdiction

- ____ DEPARTMENT AMENDMENTS ACCEPTED. Amendments reflect suggestions of previous analysis of bill as introduced/amended _____.
- ____ AMENDMENTS IMPACT REVENUE. A new revenue estimate is provided.
- ____ AMENDMENTS DID NOT RESOLVE THE DEPARTMENTS CONCERNS stated in the previous analysis of bill as introduced/amended _____.
- ____ FURTHER AMENDMENTS NECESSARY.
- ____ DEPARTMENT POSITION CHANGED TO _____.
- ____ REMAINDER OF PREVIOUS ANALYSIS OF BILL AS AMENDED
- X May 23, 2008, STILL APPLIES.
- ____ OTHER – See comments below.

SUMMARY

This bill would do the following:

- authorize the California Department of Corrections and Rehabilitation (CDCR) to refer restitution orders owed by persons who are or have been under CDCR jurisdiction to the Franchise Tax Board (FTB) for collection, and
- allow the person owed the restitution to decline the collection assistance.

SUMMARY OF AMENDMENTS

The August 4, 2008, amendments expanded the restitutions orders that can be referred to FTB by CDCR to include orders owed by anyone that has been under CDCR jurisdiction. The "This Bill" discussion is revised. The "Fiscal Impact" and "Economic Impact" discussions are included for convenience. The remainder of the department's analysis of the bill as amended May 23, 2008, still applies.

Board Position:

____ S ____ NA ____ NP
 ____ SA ____ O ____ NAR
 ____ N ____ OUA X PENDING

Legislative Director

Date

Brian Putler

8/12/08

POSITION

Pending.

THIS BILL

This bill would authorize CDCR to refer restitution orders owed by persons who are or have been under CDCR jurisdiction to FTB for collection. The person to whom restitution is ordered may decline CDCR's assistance to collect the amount.

FTB would use existing court ordered debt authority to collect the restitution orders in the same manner and using the same tools as used in the collection of tax debts. FTB's costs for collection would be reimbursed from the amounts collected. The balance of the collected amounts would be remitted to CDCR for distribution to the person owed the restitution order

FISCAL IMPACT

Implementing this bill would not impact department programs or operations because the cost to FTB to collect these restitution orders would be deducted from any amounts collected prior to being distributed.

ECONOMIC IMPACT

This bill would not impact state income tax revenues.

LEGISLATIVE STAFF CONTACT

Legislative Analyst
Deborah Barrett
(916) 845-4301
deborah.barrett@ftb.ca.gov

Revenue Manager
Rebecca Schlussler
(916) 845-5986
rebecca.schlussler@ftb.ca.gov

Legislative Director
Brian Putler
(916) 845-6333
brian.putler@ft6b.ca.gov